

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT,

OAH Case No. 2015090142

LOS ANGELES UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2015050909

ORDER GRANTING MOTION TO  
CONSOLIDATE

On May 21, 2015, Los Angeles Unified School District filed a Request for Due Process Hearing in Office of Administrative Hearings case number 2015050909 (District's Case), naming Student.

On August 28, 2014, Student filed a Request for Due Process Hearing in OAH case number 2015090142 (Student's Case), naming District.

On August 28, 2015, Student filed a Motion to Consolidate Student's Case with District's Case. On September 2, 2015, District filed a non-opposition to the motion to consolidate.

*Consolidation*

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, the First Case and Second Case involve a common question of law and fact, specifically, regarding the adequacy of the District's April 15, 2015 individualized educational program and psychoeducational assessment. In addition, consolidation furthers the interests of judicial economy because of the commonality of legal and factual issues, plus documentary evidence and witnesses. Accordingly, consolidation is granted.

#### ORDER

1. Student's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2015050909 [District's Case] are vacated.
3. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in OAH Case Number 2015090142 [Student's Case].

DATE: September 3, 2015

/s/

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PETER PAUL CASTILLO  
Presiding Administrative Law Judge  
Office of Administrative Hearings